

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00300

**Jay Williams,**  
*Plaintiff,*

v.

**Botie Hillhouse, et al.,**  
*Defendants.*

**ORDER**

Plaintiff Jay Williams, an inmate at the Henderson County Jail, proceeding pro se, filed this lawsuit complaining of alleged violations of his rights pursuant to 42 U.S.C. § 1983. This case was referred to United States Magistrate Judge John D. Love. On June 28, 2023, the magistrate judge issued a report recommending that this case be dismissed with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). Doc. 2. Plaintiff acknowledged receipt of the report and recommendation on July 1, 2023. Doc. 3. Plaintiff has not filed an objection to the report and recommendation but has filed several miscellaneous motions in this matter as well as a brief in support of his claims. Docs. 4, 5, 6, 7, 8.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation.


Plaintiff's motions do not address the report and recommendation or the sufficiency of his allegations. Docs. 4, 5, 6, 8. The motions fail to present any basis for this court to grant plaintiff the relief he requests, and they fail to overcome his pleading deficiencies. Plaintiff's brief in support of his claims does nothing more than parrot the same conclusory allegations that he is "falsely imprisoned." Doc. 7. The court agrees that plaintiff's duplicative

allegations in this matter are malicious and that he has failed to state a claim upon which relief can be granted.

Accordingly, this case is dismissed with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). The dismissal of this action under § 1915A(b)(1) counts as a strike under 28 U.S.C. § 1915(g). *See Adepegba v. Hammons*, 103 F.3d 383 (5th Cir. 1996).

Plaintiff is warned that if he accumulates three strikes, he will not be permitted to proceed *in forma pauperis* in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury. § 1915(g). All motions pending in this civil action are denied.

*So ordered by the court on August 10, 2023.*

  
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J. CAMPBELL BARKER  
United States District Judge